

108TH CONGRESS
1ST SESSION

H. R. 700

To amend the Federal Rules of Appellate Procedure to require written opinions in certain cases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2003

Mr. PAUL introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Federal Rules of Appellate Procedure to require written opinions in certain cases, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Openness in Justice
5 Act”.

6 **SEC. 2. WRITTEN OPINIONS IN APPELLATE CASES.**

7 The Federal Rules of Appellate Procedure are
8 amended by inserting after Rule 48 the following new rule:

1 **“Rule 49. Written opinions**

2 “(a) WHEN REQUIRED.—A written opinion that ex-
3 pounds on the law as applied to the facts of the case, and
4 explains the judicial reasons upon which the judgment is
5 based, shall be issued in connection with a judgment en-
6 tered in each of the following cases:

7 “(1) A civil action removed from State court.

8 “(2) A civil action wherein jurisdiction is found-
9 ed solely upon diversity of citizenship, in which the
10 matter in controversy exceeds the sum or value of
11 \$100,000.

12 “(3) Any appeal regarding the use of a court’s
13 inherent powers.

14 “(b) PARTIES’ RIGHT TO REQUEST.—Each party on
15 direct appeal may request a written opinion referred to
16 in subsection (a).”.

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H. R.

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A BILL

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2 *tives of the United States of America in Congress assembled,*